

## CLAIM AMENDMENTS

1. (currently amended) An isolated genomic nucleic acid molecule, said nucleic acid molecule obtainable from human chromosome 7 ~~having~~ consisting of a nucleotide sequence selected from the group consisting of:

(a) a nucleic acid molecule of SEQ ID NO:8 which ~~encodes~~ includes sequence encoding a polypeptide that has human adipocyte enhancer binding protein 1 activity;

(b) a fragment of (a) comprising at least nucleotides 1301-10893 of SEQ ID NO:8 which encodes a polypeptide having human adipocyte enhancer binding protein 1 activity and

(c) a nucleic acid molecule which is a complement of the polynucleotides specified in (a)-(b).

2. (previously presented) A nucleic acid construct comprising the nucleic acid molecule of claim 1.

3. (previously presented) An expression vector comprising the nucleic acid molecule of claim 1.

4. (original) A recombinant host cell comprising the nucleic acid molecule of claim 1.

Claim 5 (cancelled)

6. (previously presented) A method for obtaining human adipocyte enhancer binding protein 1 comprising:

(a) culturing the recombinant host cell of claim 4 under conditions that provide for the expression of said polypeptide and

(b) recovering said expressed polypeptide.

7. (withdrawn) A method for preparing an antibody specific to human adipocyte enhancer binding protein 1 comprising:

(a) obtaining a polypeptide according to the method of claim 6;

(b) optionally conjugating said polypeptide to a carrier protein;

(c) immunizing a host animal with said polypeptide or polypeptide-carrier protein conjugate of step (b) with an adjuvant and

(d) obtaining antibody from said immunized host animal.

8. (previously presented) An isolated nucleic acid molecule ~~consisting of a fragment of the nucleic acid molecule of claim 1, said fragment comprising at least 20 contiguous nucleotides identical to an intron region specific to the nucleic acid molecule of claim 1 of SEQ ID NO. 8.~~

9. (canceled)

10. (previously presented) A composition comprising the nucleic acid molecule of claim 1 and a carrier.

11. (previously presented) A composition comprising the nucleic acid molecule of claim 8 and a carrier.

Claims 12-13 (canceled)

14. (previously presented) A kit comprising the nucleic acid molecule of claim 8.

15. (previously presented) The kit according to claim 14, in which the polynucleotide is optionally labeled with a detectable substance.

16. (previously presented) The kit according to claim 14, which comprises a plurality of nucleic acid molecules.

Claims 17-24 are cancelled.

25. (withdrawn) A method of identifying variants of SEQ ID NO: 8 comprising

- (a) isolating genomic DNA from a subject and
- (b) determining the presence or absence of a variant in said genomic DNA using the nucleic acid molecule of claim 8.

26. (withdrawn) A method for detecting the presence or absence of a non-coding nucleic acid sequence specific to the nucleic acid molecule of claim 1 in a sample, said method comprising contacting a sample with a nucleic acid molecule of at least 20 contiguous nucleotides which hybridizes at high stringency to a non-coding region specific to an intron region of said nucleic acid molecule

27. (withdrawn) A method of identifying a nucleotide sequence variant of SEQ ID NO:8 or its complementary sequence comprising

- (a) isolating genomic DNA from a subject, and
- (b) determining the presence or absence of a nucleotide sequence variation in said genomic DNA by comparing the nucleotide acid sequence of SEQ ID NO:8 with the nucleotide sequence of the isolated genomic DNA and establishing if and where a difference occurs between the two nucleic acid sequences thereby identifying a nucleotide sequence variant of SEQ ID NO:8 or its complement.

28. (withdrawn) The method of claim 27, wherein the presence or absence of a nucleotide sequence variation is determined in a 5'-noncoding region, 3'-noncoding region or intron region of SEQ ID NO: 8 or its complementary sequence.

29. (withdrawn) A method of detecting the presence or absence of a polynucleotide having the nucleic acid sequence set forth depicted in SEQ ID NO:8 or its complementary sequence in a sample, said method comprising

(a) contacting the sample with a polynucleotide of claim 8 under stringent hybridization conditions and

(b) determining whether the polynucleotide binds to a polynucleotide sequence in the sample, wherein binding of a polynucleotide of the sample to a polynucleotide of claim 8 detects the presence of a polynucleotide comprising SEQ ID NO:8.

30. (new) The isolated nucleic acid molecule of claim 8, wherein said intron is selected from the group consisting of the sequence of nucleotides between positions 9015-10,641, 8122-8672, 7932-8049, 7754-7859, 7554-7628, 6662-7475, 6452-6583, 6273-6375, 5456-6218, 535305434, 4834-5211, 4647-4749, 4407-45-2, 4053-4319, 3707-3929, 3418-3508, 3001-3237, 2570-2650, 2305-2425 and 1967-2208.

31. (new) The isolated nucleic acid molecule of claim 8, wherein said intron is the sequence of nucleotides between positions 9015-10,641.